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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,206	04/25/2001	Tatsuya Sasazawa	KOT-0029	8817
23413	7590	12/28/2005	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			BASHORE, ALAIN L	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,206

Applicant(s)

SASAZAWA ET AL.

Examiner

Alain L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 30-43 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 30, 39, 40-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term ""realistic" is considered vague and indefinite because no meets and bounds are given. What may be "realistic" to one is not "realistic" to another. The term "virtual" is vague and indefinite since it is not clear the meets and bounds of such a term. The recitation of "a realistic graphical representation" appears to be definite. The term "may" and "can" recited in claims 40 and 42 respectively are vague and indefinite.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 30-32, 37-39, 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano et al in view of Wong et al.

Kitano et al discloses an economical data processing system. Virtual space is formed and used with a network includes a plurality of computers connected to each other (col 6, lines 28-67). Value information stores value information representing value provided in the virtual space and the value information is delivered in the virtual space (col 19, lines 10-67; col 20, lines 12-5). Value of the value information is represented as value data (col 7, lines 33-35) and value information storing stores said valuable information in relation with said value data. A value information evaluation evaluates a value of said valuable information so as to generate said value data of said valuable information (col 7, lines 40-46). The value information may be image information (col 6, lines 38-43).

There is not explicitly disclosed to Kitano et al:

virtual currency;

value information;

virtual currency evaluating, and,

currency exchanging.

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Wong et al discloses: virtual currency (col 6, lines 20-33), virtual currency evaluation (col 6, lines 41-48) for exchanging said virtual currency with said real currency (col 8, lines 54-67).

It would have been obvious to one with ordinary skill in the art to include forming virtual currency to Kitano et al because Wong et al teaches virtual currency is desirable for network systems rather than conventional means of payment (col 1, lines 30-42).

It would have been obvious to one with ordinary skill in the art to include value information storage and evaluation to Kitano et al because Kitano et al teaches that a virtual currency is used in virtual space to make purchases (col 2, lines 8-11).

It would have been obvious to one with ordinary skill in the art to include a virtual currency evaluation to Kitano et al because Wong et al teaches evaluation required of virtual currency before it may be stored (col 7, lines 12-16)

5. Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano et al in view of Wong et al as applied to claims above, and further in view of Martinez et al.

Kitano et al in view of Wong et al does not explicitly disclose:

a ID data generating.

Martinez et al discloses a ID data generating and ID data determination (fig 9 and col 21, lines 55-67; col 22, lines 1-67) for use in transactions. Martinez et al also discloses rewards (col 10, lines 12-39) utilized by transaction users.

It would have been obvious to one with ordinary skill in the art to include a ID data generating because Martinez et al teaches that valid IDs are required for a proper transaction (col 22, lines 61-62).

Response to Arguments

6. Applicant's arguments filed 10-3-05 have been fully considered but they are not persuasive.

The indicated of allowability for the newly claimed feature to a "virtual town" is withdrawn in view of the following new interpretation of the disclosure to Kitano et al. Kitano et al discloses a virtual town including buildings and streets (fig 8; col 8, lines 65-67; col 9, lines 1-28). It would have been obvious to one with ordinary skill in the art to include the elements recited in claim 43 as part of the "virtual town" because Kitano et al discloses a "world", and the term "world" is understood as including all that is encompassed in a world, such as: stores, businesses and offices.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alain L. Bashore
Primary Examiner
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